

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF MEMPHIS

April 15, 2008

3:30 P.M. SCHEDULED SESSION

3:35 P.M. MEETING COMMENCED

ROLL CALL: William Boyd, Joe Brown, Harold Collins, Shea Flinn, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Reid Hedgepeth, Myron Lowery, Bill Morrison, Jim Strickland, Barbara Swearengen Ware and Chairman Scott McCormick

**THE MEETING WAS CALLED TO ORDER
BY SERGEANT-AT-ARMS**

INVOCATION

The meeting was opened with prayer by Councilman Bill Boyd. Councilman Collins presented Councilman Bill Boyd with a certificate naming him Chaplain of the day.

These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.

42. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTHEAST CORNER OF STATELINE ROAD AND AIRWAYS BOULEVARD, CONTAINING 48.181 ACRES IN THE SINGLE FAMILY RESIDENTIAL (R-S8) & MULTIPLE DWELLING RESIDENTIAL (R-ML) DISTRICTS.**

Case No. PD 07-332

Held to May 6, 2008, without objection

46. **RESOLUTION THANKING KINGSBURY HIGH SCHOOL'S PEACE JAM COMMITTEE FOR EFFORTS TO PROMOTE PEACE.**

Held to May 6, 2008

Mayor Herenton presented the Fiscal Year 2009 Budget to the Memphis City Council

45. **RESOLUTION CONGRATULATING THE UNIVERSITY OF MEMPHIS TIGERS BASKETBALL TEAM ON THEIR LEGENDARY SEASON OF RECORDING SETTING WINS.**

MOTION: McCormick

SECOND: Flinn

APPROVED, by unanimous voice vote

Councilman McCormick took a three minute recess

33. **RESOLUTION AUTHORIZING AND PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF CITY OF MEMPHIS, TENNESSEE, GENERAL IMPROVEMENT BONDS SERIES 2008A, FOR THE PURPOSE OF FINANCING THE COST OF PROJECTS AND RETIRING OUTSTANDING BOND ANTICIPATION NOTES.**

MOTION: Halbert

SECOND: Morrison

AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman McCormick

APPROVED

CONSENT AGENDA – Items 1-8 may be acted upon by one motion: SEE PAGE 2484 FOR ROLL CALL

1. **ORDINANCE AMENDING CHAPTER 5, CODE OF ORDINANCES, CITY OF MEMPHIS, TO UPDATE AND AMEND REGULATIONS REGARDING ANIMALS AND FOWLS BY ADDING SECTIONS 5-41 THROUGH 5-44 ESTABLISHING AN ANIMAL SHELTER ADVISORY COMMITTEE, FOR THE PURPOSE OF ADVISING THE ANIMAL SHELTER ON MATTERS RELATED TO THE HUMANE OPERATION OF THE ANIMAL SHELTER, UP FOR F I R S T READING.**

Ordinance No. 5260

APPROVED, on First reading

2. **ORDINANCE AMENDING PREVIOUS ORDINANCE 4388, CODIFIED AS CITY CODE, TITLE 6, CHAPTER 6-92, SECTION 6-92-1. ET SEQ., SO AS TO REVISE SECTION 6-92-11, SUBSECTION (A) TO ALLOW SAID TITLE 6, CHAPTER 6-92 TO REMAIN IN FULL AND EFFECT UNTIL SEPTEMBER 23, 2008, UP FOR S E C O N D READING.**

Ordinance No. 5258

APPROVED, on Second reading

3. **ORDINANCE REZONING THE WEST SIDE OF GETWELL ROAD; +805 FEET NORTH OF CROWFARN DRIVE, CONTAINING 2.26 ACRES IN THE SINGLE FAMILY RESIDENTIAL (R-S8) DISTRICT, UP FOR F I R S T READING.**

Ordinance No. 5259

Case No. Z 08-101

APPROVED, on First reading

4. **RESOLUTION APPROVING FINAL PLAT OF KIMBROUGH FORCE MAIN RELOCATION.**

Contract No. CR-5106

Resolution approves the final plat located east of the intersection of Wolf River Blvd. and South Germantown Road. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

APPROVED

5. **RESOLUTION ACCEPTING UNIVERSITY PLACE SEWER IMPROVEMENTS, PHASE 1, AND AUTHORIZING RELEASE OF BOND.**

(Contract No. CR-5002)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the southeast corner of Crump Blvd and Somerville Street. The standard improvement contract was approved on March 7, 2006. Resolution also authorizes the release of the performance bond in the amount of \$128,300.00.

City Engineer recommends approval

APPROVED

6. **RESOLUTION APPROVING FINAL PLAT OF HERNANDO PLACE SUBDIVISION.**

Case No. S 07-040

Resolution approves the final plat located on the southwest corner of Hernando Road and Elvis Presley Blvd. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

APPROVED

7. RESOLUTION APPROVING FINAL PLAT OF MARTIN PD.

Case No. PD 05-386

Resolution approves the final plat located on Wilburn Avenue east of Clark Alley. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

APPROVED**8. NOTATION FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASE WAS HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

A. Case No. PD 08-308 – Oakley Transport P.D.

Public Hearing Set for May 6, 2008

ROLL CALL CONSENT ITEMS

MOTION: Morrison

SECOND: Flinn

AYES: Boyd, Collins, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and
Chairman McCormick
Brown, Flinn, Ford and Lowery did not cast a vote

APPROVED**MLGW FISCAL CONSENT – Items 9-29 may be acted upon by one motion:****9. RESOLUTION AWARDED CONTRACT NO. 11250, WASTE MANAGEMENT SERVICES, TO POLLUTION CONTROL INDUSTRIES IN THE FUNDED AMOUNT OF \$200,000.00.****APPROVED****10. RESOLUTION AWARDED CONTRACT NO. 11258, GROUNDS MAINTENANCE, TO BEAN AND PRINCE CONTRACTORS, INC. IN THE FUNDED AMOUNT OF \$601,523.17.****APPROVED****11. RESOLUTION AWARDED CONTRACT NO. 11273, REPLACE NORTH DOCK PACKAGE HVAC UNIT, TO GIPSON MECHANICAL IN THE FUNDED AMOUNT OF \$25,847.00.****APPROVED**

12. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 10968, ELEVATOR UPGRADES, WITH KONE, INC. IN THE FUNDED AMOUNT OF \$27,946.92. (THIS RENEWS THE CONTRACT FOR THE FOURTH RENEWAL TERM, JULY 1, 2008 TO JUNE 30, 2009, WITH A 4% INCREASE IN MAINTENANCE AND HOURLY RATES.)**

APPROVED

13. **RESOLUTION APPROVING CHANGE NO. 5 TO CONTRACT NO. 11020, JANITORIAL SERVICES, WITH KIMCO CORPORATION IN THE FUNDED AMOUNT OF \$646,788.50. (THIS RENEWS THE CONTRACT FOR THE THIRD RENEWAL TERM, FEBRUARY 21, 2008 TO FEBRUARY 20, 2009, AND AMENDS THE CONTRACT TO COMPLY WITH THE LIVING WAGE ORDINANCE OF THE CITY OF MEMPHIS.)**

APPROVED

14. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11071, EMERGENCY AID AGREEMENT, WITH DAVIS H. ELLIOT CONSTRUCTION COMPANY, INC. IN THE FUNDED AMOUNT OF \$96,819.10. (THIS COVERS REIMBURSEMENT OF EXPENSES FOR LABOR, EQUIPMENT AND MEALS DUE TO THE STORM OF JANUARY 29, 2008.)**

APPROVED

15. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11178, INTERNET SERVICE PROVIDER II, WITH PAETEC IN THE FUNDED AMOUNT OF \$52,200.00. (THIS RENEWS THE CONTRACT FOR THE FIRST RENEWAL TERM, MAY 7, 2008 TO MAY 6, 2011, AT \$17,400.00 ANNUALLY).**

APPROVED

16. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11193, JANITORIAL SERVICES, WITH KIMCO CORPORATION, INC. IN THE FUNDED AMOUNT OF \$122,240.22. (THIS RENEWS THE CONTRACT FOR THE FIRST RENEWAL TERM, MARCH 1, 2008 TO FEBRUARY 28, 2009, WITH A RATE INCREASE OF APPROXIMATELY 2.5%. THIS ALSO AMENDS THE CONTRACT TO COMPLY WITH THE LIVING WAGE ORDINANCE OF THE CITY OF MEMPHIS.)**

APPROVED

17. **RESOLUTION AWARDING 24-MONTH CONTRACT FOR METER COVERS TO VINCENT SALES, INC. IN THE AMOUNT OF \$33,000.00.**

APPROVED

18. **RESOLUTION AWARDING CONTRACT FOR ALUMINUM TRENCH SHIELDS TO ICM OF MEMPHIS IN THE AMOUNT OF \$45,976.01.**

APPROVED

19. **RESOLUTION AWARDING CONTRACT FOR SONET MULTIPLEXERS TO GENERAL ELECTRIC COMPANY IN THE AMOUNT OF \$49,950.00.**

APPROVED

20. **RESOLUTION AWARDING CONTRACT FOR BATTERY-POWERED TOOLS TO STUART C. IRBY IN THE AMOUNT OF \$27,176.50.**

APPROVED

21. **RESOLUTION AWARDING CONTRACT FOR PNEUMATIC UNDERGROUND PIERCING TOOLS TO VERMEER SALES AND SERVICE, INC. IN THE AMOUNT OF \$43,990.00.**

APPROVED

22. **RESOLUTION AWARDING CONTRACT FOR MAINTENANCE RENEWAL OF SYMANTEC BINDVIEW CONTROL FOR WINDOWS TO COLEMAN TECHNOLOGIES, INC. IN THE AMOUNT OF \$38,199.02.**

APPROVED

23. **RESOLUTION AWARDING CONTRACT FOR ANTHRACITE AND SAND FILTER MEDIA TO GUTHRIE SALES AND SERVICE COMPANY, INC. IN THE AMOUNT OF \$41,457.00.**

APPROVED

24. **RESOLUTION AWARDING CONTRACT FOR RENTAL OF TWO 127-FT. AERIAL LIFTS, INCLUDING DELIVERY AND PICKUP CHARGES, TO GLOBAL RENTAL COMPANY IN THE AMOUNT OF \$41,300.00.**

APPROVED

25. **RESOLUTION AMENDING PURCHASE ORDER NO. 130050 WITH HD SUPPLY, INC. IN THE AMOUNT OF \$73,566.25 AND PURCHASE ORDER NO. 130051 WITH THE DURHAM COMPANY IN THE AMOUNT OF \$10,086.00 FOR ELECTRIC METER SOCKETS AND PEDESTALS, FOR A TOTAL AMENDED AMOUNT OF \$83,652.25. THIS COVERS ADDITIONAL FUNDS NEEDED TO MEET 2008 DEMANDS.**

APPROVED

26. RESOLUTION AWARDING CONTRACT FOR PAPER-LEAD CABLE AS FOLLOWS:

The Okonite Company.....	\$393,537.76
Prysmian Cables & Systems.....	<u>916,349.16</u>
Total.....	\$1,309,886.92

APPROVED**27. RESOLUTION AWARDING 36-MONTH CONTRACT FOR ASPHALT AS FOLLOWS:**

Lehman Roberts.....	\$660,000.00
APAC-Tennessee.....	75,750.00
Standard Construction Company.....	<u>71,165.00</u>
Total.....	\$806,915.00

APPROVED**28. RESOLUTION APPROVING THE EMPLOYMENT OF NIXON PEABODY LLP ON AN AS-NEEDED BASIS AT AGREED UPON HOURLY RATES.****APPROVED****29. RESOLUTION APPROVING WETLANDS CREDITS PURCHASE AGREEMENT BETWEEN MLGW AND THE WOLF RIVER MITIGATION BANK, LLC FOR THE PURCHASE OF 2.5 CREDITS OF WETLANDS IN THE AMOUNT OF \$62,500.00.****APPROVED****MLGW ROLL CALL CONSENT ITEMS**

MOTION: Ware
 SECOND: Ford
 AYES: Boyd, Collins, Ford, Lowery, Morrison, Strickland, Ware and Chairman McCormick
 Halbert abstained
 Brown, Flinn, Fullilove and Hedgepeth did not cast a vote

APPROVED**30. APPOINTMENTS****Memphis and Shelby County Parking Authority****Appointment**

B. Lane Carrick

Memphis and Shelby County Parking Authority**Reappointment**

John W. Stokes, Jr.

MOTION: Flinn
SECOND: Ware
AYES: Boyd, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison,
Strickland, Ware and Chairman McCormick
Brown did not cast a vote

APPROVED

31. **ORDINANCE TO AMEND CHAPTER 2, ARTICLE XI, CODE OF ORDINANCES, CITY OF MEMPHIS, SO AS TO ADD AN ANNUAL ADJUSTMENT TO THE LIVING WAGE, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5257

Chairman McCormick recognized the following person who spoke from the audience:

Rev. Rebekah Jordan, 1060 Philadelphia, Mphs, TN 38104

MOTION: Morrison
SECOND: Ware
AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery,
Morrison, Strickland, Ware and Chairman McCormick

APPROVED, as amended

32. **RESOLUTION AMENDING THE CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION OF \$21,217.00 IN G.O. GENERAL BOND FUNDS IN TRAFFIC SIGNALS, PROJECT NUMBER EN01004 FROM FURNITURE, FIXTURES AND EQUIPMENT TO EQUIPMENT CAPITAL AND APPROPRIATING \$21,217.00 IN EQUIPMENT CAPITAL AND \$1,028,783.00 IN FURNITURE, FIXTURES AND EQUIPMENT.**

MOTION: Morrison
SECOND: Boyd
AYES: Boyd, Collins, Flinn, Ford, Halbert, Hedgepeth, Lowery, Morrison, Strickland,
and Chairman McCormick
Brown, Fullilove and Ware did not cast a vote

APPROVED

34. **RESOLUTION APPROPRIATING \$434,975.00 IN G.O. BONDS FROM THE FISCAL YEAR 2008 CIP BUDGET TO PURCHASE ONE (1) PUMPER FOR THE DIVISION OF FIRE SERVICES FOR A TOTAL APPROPRIATION OF \$434,975.00.**

MOTION: Hedgepeth

SECOND: Halbert

AYES: Boyd, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman McCormick
Brown, Collins and Ware did not cast a vote

APPROVED

35. **RESOLUTION APPROVING THE FY2009 CONSOLIDATED PLAN AND ACCEPTING AND APPROPRIATING \$17,642,491.00, 2008 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME, EMERGENCY SHELTER GRANT (ESG), AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM FUNDS FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) TO THE FY2009 BUDGET FOR THE DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT.**

MOTION: Ford

SECOND: Halbert

AYES: Boyd, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman McCormick
Brown and Ware did not cast a vote

APPROVED

36. **RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF \$309,924.00 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD). RESOLUTION ALSO ESTABLISHES THE USE OF THE \$309,924.00 IN THE FY 2008 HUD SHELTER PLUS CARE GRANT FUNDS THAT WILL BE USED BY THE DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT FOR PLANNED ACTIVITIES FOR THE LOW-INCOME HOMELESS AND SPECIAL NEEDS POPULATIONS. THE RESOLUTION WILL ALSO APPROPRIATE \$309,924.00 FUNDED BY THE HUD SHELTER PLUS CARE GRANT PROJECT NUMBER TN37C701021 WHICH WILL BE USED BY THE PROJECT SPONSOR, FAMILY SERVICES OF THE MID-SOUTH, TO CONTINUE THE IMPLEMENTATION OF THE RENTAL ASSISTANCE PROGRAM, CD90021.**

MOTION: Ford

SECOND: Morrison

AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland and Chairman McCormick
Lowery and Ware did not cast a vote

APPROVED

37. **RESOLUTION AMENDING THE FY 08 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING A PREVIOUS ALLOCATION OF \$500,000.00 FUNDED BY LOCAL SHARED CIP (\$321,662.99) AND G.O. BONDS (\$178,337.01) FROM HCD-MIDDLE INCOME DEVELOPERS ASSISTANCE PROGRAM CD01025 FOR CONTRACT CONSTRUCTION (INFRASTRUCTURE IMPROVEMENTS) TO THE TOWN CENTER AT SOULSVILLE CD01076 FOR 13 UNITS OF MIDDLE INCOME HOUSING.**

MOTION: Ford

SECOND: Morrison

AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman McCormick
Ware did not cast a vote

APPROVED

38. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$1,034,280.00 FROM THE U.S. DEPARTMENT OF JUSTICE GRANT AWARD FOR REDUCING VIOLENT CRIME THROUGH SHELBY COUNTY GOVERNMENT FOR THE SAFEWAYS GRANT PROJECT TO REDUCE VIOLENT CRIME IN SPECIFIC AREAS IDENTIFIED THROUGH BLUE C.R.U.S.H. RESOLUTION ALSO AMENDS FY 2008 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS IN THE AMOUNT OF \$1,034,280.00.**

MOTION: Hedgepeth

SECOND: Boyd

AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman McCormick
Ware did not cast a vote

APPROVED

39. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$1,137,600.00 FROM THE STATE OF TENNESSEE FOR THE IN-SERVICE TRAINING PROGRAM FOR TRAINING FOR 1,896 COMMISSIONED OFFICERS. RESOLUTION ALSO AMENDS FY 2008 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Hedgepeth

SECOND: Boyd

AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland and Chairman McCormick
Hedgepeth and Ware did not cast a vote

APPROVED

40. **RESOLUTION AMENDING THE FY 2008 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATE \$44,330.00 FUNDED BY SEWER FUNDS FROM SERVICE TO UNSEWERED AREAS, PROJECT NUMBER SW03001 TO 2702 BERRYHILL ROAD SEWER EXTENSION, PROJECT NUMBER SW03012 TO PROVIDE SERVICE TO AN UNSEWERED AREA AND FOR A CONSTRUCTION CONTRACT WITH MILLS & SONS, INC.**

MOTION: Morrison

SECOND: Boyd

AYES: Boyd, Brown, Collins, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman McCormick
Flinn and Ware did not cast a vote

APPROVED

41. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE SOUTH SIDE OF VOLLINTINE STREET; +/-334.46 FEET EAST OF AYERS STREET, CONTAINING 0.24 ACRE (10,454 SQ. FT.) IN THE SINGLE FAMILY RESIDENTIAL (R-S6) DISTRICT.**

Case No. SUP 08-211

Applicants: Klondyke Civic Association
Ms. Quincy Morris – Representative

Request: Special use permit to allow a Neighborhood Resource Center

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery

SECOND: Boyd

AYES: Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman McCormick
Boyd and Ware did not cast a vote

APPROVED

42. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTHEAST CORNER OF STATELINE ROAD AND AIRWAYS BOULEVARD, CONTAINING 48.181 ACRES IN THE SINGLE FAMILY RESIDENTIAL (R-S8) & MULTIPLE DWELLING RESIDENTIAL (R-ML) DISTRICTS.**

Case No. PD 07-332

Held to May 6, 2008

43. **RESOLUTION APPROVING A USE VARIANCE LOCATED ON THE SOUTHEAST CORNER OF SUMMER AVENUE AND WARING ROAD, CONTAINING 36,154 SQUARE FEET OR .83 ACRE IN THE HIGHWAY COMMERCIAL (C-H) DISTRICT.**

Case No. UV 08-03

Applicant: Car Wash USA
Michael J. Fahy – Representative

Request: Car Wash

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery
SECOND: Hedgepeth
AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Strickland and Chairman McCormick
Morrison and Ware did not cast a vote

APPROVED

MINUTES

Approval of the Minutes of the regular meeting of April 1, 2008 with the following motion:

MOTION: Lowery – Move to reconsider Item #20 from the Minutes of 4/1/08
SECOND: Halbert
AYES: Boyd, Collins, Ford, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman McCormick
Brown, Flinn, Fullilove and Ware did not cast a vote

APPROVED, item reconsidered, set up as Special Item #1

MOTION: Lowery – Hold until after the passage of the Unified Code
SECOND: Ford
AYES: Boyd, Collins, Flinn, Ford, Halbert, Morrison, Strickland and Chairman McCormick
Brown, Fullilove, Hedgepeth, Lowery and Ware did not cast a vote

APPROVED, item held until the passage of the Unified Code, set up as Special Item #2

MOTION: Lowery – Pull Item #28 from the Minutes of 4/1/08 and hold to the Minutes of 5/6/08
SECOND: Hedgepeth
AYES: Boyd, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman McCormick

Brown and Ware did not cast a vote

APPROVED, set up as Special Item #3

MAIN MOTION: Ford
SECOND: Boyd
AYES: Boyd, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison,
Strickland and Chairman McCormick
Brown and Ware did not cast a vote

APPROVED, as amended, with the exception of Items #20 and #28

28. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON STONEBROOK CIRCLE BEGINNING ON THE WEST SIDE OF SANDBROOK STREET AND EXTENDING +491 FEET, CONTAINING 40,118 SQUARE FEET IN THE LIGHT INDUSTRIAL (I-L) DISTRICT.**

Case No. SAC 07-621

Applicant: Superior Investment, Inc.
Crown Enterprises, Inc. – Representative

Request: Street Closure

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Lowery
SECOND: Morrison
AYES: Flinn, Ford, Halbert, Hedgepeth, Lowery, Morrison and Chairman McCormick
NAYS: Brown, Collins and Fullilove
Boyd and Strickland did not cast a vote
Ware was absent

APPROVED (This item was pulled from the Minutes of 4/1/08 on 4/15/08 and held to 5/6/08)

44. **RESOLUTION REQUESTING A COMMITTEE BE FORMED WITH COUNCIL MEMBERS AND SELECTED MEMBERS OF THE PUBLIC AND PRIVATE SECTORS, TO CREATE A PLAN AND ORGANIZE A SUPPLEMENTAL SUMMIT WITHIN 12 MONTHS TO COORDINATE AND ENERGIZE OUR COMMUNITY IN A DETERMINED EFFORT TO CREATE AN ENVIRONMENT WHERE OUR CHILDREN CHOOSE EDUCATION OVER CRIME.**

WITHDRAWN

MINUTES

Approval of the Minutes of the regular meeting of April 15, 2008 for Item #37 only with the following motion:

MOTION: Ford
SECOND: Boyd
AYES: Boyd, Collins, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison,
Strickland and Chairman McCormick
Brown, Lowery and Ware did not cast a vote

APPROVED, set up as Special Item #4

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

Chairman McCormick recognized the following people who spoke from the audience:

Walter Broady, 4256 Ledbetter Cove, Mphs, TN 38109
Michael Thompson, 652 Whitesboro Ave., Mphs, TN 38109
Latricia Wilson, 2569 Union Avenue, Mphs, TN 38112

ADJOURNED MEETING AT 6:10 P.M.

.....
Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

C H A I R M A N

Attest:

Deputy Comptroller/Council Records